1 2 3 4 5 6 7 8 9 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 10 AT TACOMA 11 JEFFREY L. CAMPBELL, 12 Petitioner, Case No. C07-5315RBL 13 v. ORDER DIRECTING 14 HAROLD CLARKE. SERVICE AND RETURN, § 2254 PETITION 15 Respondent. 16 17 The petitioner in this action is seeking federal habeas corpus relief pursuant to 28 U.S.C. § 18 2254. This case is on remand from the Ninth Circuit. This case has been referred to the undersigned 19 Magistrate Judge pursuant to Title 28 U.S.C. §§ 636 (b) (1) (A) and 636 (b) (1) (B) and Local 20 Magistrates' Rules MJR 3 and MJR 4. 21 (1).The clerk shall arrange for service by certified mail upon respondent, a copy of the 22 amended petition (Dkt. #8), of all documents in support thereof, and of this Order. All costs of 23 service shall be advanced by the United States. The Clerk shall assemble the necessary documents to 24 effect service. The Clerk shall send petitioner's counsel a copy of this Order, the General Order. 25 The clerk will also send a courtesy copy of the petition to the Washington State Attorney General's 26 Office Criminal Justice Division. 27

ORDER FOR SERVICE AND RETURN, 2254 PETITION - 1

28

(2) Within forty-five (45) days after such service, respondent shall file and serve an answer in accordance with Rule 5 of the Rules Governing § 2254 Cases in United States District Courts. As part of such answer, respondents should state whether petitioner has exhausted available state remedies, whether an evidentiary hearing is necessary, and whether there is any issue of abuse of delay under Rule 9. Respondent shall not file a dispositive motion in place of an answer without first showing cause as to why an answer is inadequate. Respondent shall file the answer with the Clerk of Court and serve a copy of the answer upon petitioner.

(3) The answer will be treated in accordance with Local Rule CR 7. Accordingly, upon receipt of the Answer the Clerk will note the matter for consideration on the fourth Friday after the answer is filed, petitioner, through counsel, may file and serve a response not later than on the Monday immediately preceding the Friday appointed for consideration of the matter, and respondent may file and serve a reply brief not later than on the Thursday immediately preceding the Friday designated for consideration of the matter.

DATED this 4, day of December, 2007.

/S/ J. Kelley Arnold

J. Kelley Arnold United States Magistrate Judge